REMARKS

Claims 1-40 are pending in the present application. In the above amendments, claims 1, 3-21, 25, and 30 have been amended. Therefore, after entry of the above amendments, claims 1-40 will be still pending in this application. Applicants believe that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

1.   Rejection under 35 U.S.C. 102(b)

The Examiner rejected claims 1-3, 20-21, and 39-40 as being anticipated by U.S. Patent No. 4,817,146. ('146 patent). Applicants respectfully traverse this rejection.

Applicants respectfully submit that '146 patent does not disclose the claims. Specifically, '146 patent does not disclose "dropping one or more of said frames; and disabling said state vector from incrementing for each of said data frames being dropped," as now claimed in independent claim 1. On the contrary, '146 patent discloses that:

> "if during steady state operation the predicted IV does not properly compare with the currently received IV, a sync loss counter is incremented and when the value exceeds a maximum (e.g., 10), the receiver is assumed to have dropped out of synchronization and attempts are then made to resynchronize the receiver with the incoming data stream. Accordingly, . . ., once a steady state operation has been achieved, the receiver can 'coast' for about 10 data frames (e.g., about 2.25 seconds) before synchronization is considered to have been completely lost." ('146 patent, Col. 24, lines 19-26).

Therefore, according to the above passage from '146 patent, after sync is lost, the "sync lost counter" is incremented to a maximum, before assuming the sync is completely lost. What '146 patent discloses is entirely different and unrelated to the claimed subject matter:

> Per Claim 1, the '146 patent does not disclose incrementing the counter when sync is established and disabling the counter when a frame is dropped.

> Per Claim 20, the '146 patent does not disclose incrementing the counter when sync is established and disabling the counter when frames are received at an underflow condition.

> Per Claim 39, the '146 patent does not disclose incrementing the counter when sync is established and disabling the counter when no data frames are received.

Therefore since none of the cited references discloses at least the above limitations, Applicants respectfully request the Examiner to withdraw this rejection.

2.   Rejection under 35 U.S.C. 103(a)

The Examiner rejected claim 4 as being unpatentable over '146 patent in view of U.S. Patent No. 6,665, 872 B1 ('872 patent). Applicants respectfully traverse this rejection.

As discussed above, '146 patent does not disclose the claimed limitation of the independent claim 1. However, Applicants respectfully submit that the '872 patent does not disclose what '146 patent fails o disclose. Furthermore, '146 patent does not disclose dropping data frames, and '872 patent does not disclose dropping the frames at a fixed, predetermined rate. Therefore, there is no suggestion to combine these two references to render claim for obvious.

Therefore since none of the cited references discloses at least the above limitations, Applicants respectfully request the Examiner to withdraw this rejection.

3.   Rejection under 35 U.S.C. 103(a)

The Examiner rejected claim 14, 23, and 33 as being unpatentable over '146 patent in view of Stevens publication (Stevens) further in view of '872 patent. Applicants respectfully traverse this rejection.

As discussed above, '146 patent does not disclose the claimed limitation of the independent claim 1. However, Applicants respectfully submit that neither '872 patent nor Stevens discloses what '146 patent fails o disclose.

Therefore since none of the cited references discloses at least the above limitations, Applicants respectfully request the Examiner to withdraw this rejection.

4.   Rejection under 35 U.S.C. 103(a)

The Examiner rejected claim 5-13, 15-19, 22, 24-32, and 34-38 as being unpatentable over '146 patent in view of Stevens publication (Stevens).

As discussed above, '146 patent does not disclose the claimed limitation of the independent claim 1, 10, 20, 22, and 30. However, Applicants respectfully submit that Stevens does not disclose what '146 patent fails o disclose. While Stevens discloses "an intermediate router will start discarding packets," (Page 186, 2nd para.), there is no mention of the claimed limitations as discussed above. Specifically, Stevens does not disclose "dropping one or more of said frames; and disabling said state vector from incrementing for each of said data frames being

dropped," as now claimed in independent claims 1, 22, and 30 "dropping one or more of said data frames in said queue; and adjusting said state vector for each of said one or more data frames that are dropped," as now claimed in independent claim 10, "disabling said state vector when said queue is in an underflow condition, as now claimed in independent claim 20, or "disabling said state vector if no data frames are available to be decrypted in said queue." as now claimed in independent claim 39.

Therefore since none of the cited references discloses at least the above limitations, Applicants respectfully request the Examiner to withdraw this rejection.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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